Wolff v. NH Department of Corrections et al Doc. 18

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Charles J. Wolff,

Plaintiff,

v. NO. 06-321-PB

N.H. Department of Corrections, et al.

Defendants.

DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE ANSWER

NOW COME the Defendants, by and through their counsel, the Office of the Attorney General, and move for a two-week extension of time, until April 2, 2007 to file their Answer, stating as follows:

1. Based upon the Court's recent order regarding acceptance of service, the Defendants deadline for filing an Answer is March 19, 2007.

2. Undersigned counsel is still waiting to receive certain documents from the Department of Corrections Chaplain, and food services department that are necessary to allow the Defendants to file an Answer. Counsel has a paralegal actively working on gathering the remaining documents necessary and scheduling interviews of the remaining defendants and witnesses necessary to prepare an Answer.

3. However, undersigned counsel is leaving for a planned vacation from March 23rd to March 29th, and will be unavailable during that time to work on this matter.

4. Given the number of other pressing litigation matters, counsel does not anticipate being able to file an Answer before April 2, 2007.

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5. No separate memorandum of law has been filed with this Motion as the matter rests with the sound discretion of the Court.

6. Given Plaintiff's status as a *pro se* incarcerated inmate, undersigned counsel has not been able to gain Mr. Wolff's assent.

WHEREFORE, the Defendants respectfully request that the Honorable Court:

A. Grant a two-week extension (until April 2, 2007) for Defendants to file their Answer;

B. Grant any further relief as is just and proper.

Respectfully submitted,

N.H. DEPARTMENT OF CORRECTIONS

By and through their counsel,

KELLY G.AYOTTE,
Attorney General

\s\ Andrew B. Livernois
Andrew B. Livernois (#14350)
Assistant Attorney General
N.H. Department of Justice
33 Capitol Street
Concord, NH 03301
603-271-3650

Certificate of Service

March 19, 2007

I hereby certify that a copy of the foregoing was served this date on Charles Wolff, N.H. State Prison, P.O. Box 14, Concord, NH 03302.

\s\ Andrew B. Livernois
Andrew B. Livernois

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